

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SKYLIGHT ENGAGEMENT, INC. and AMERICAN
IMMIGRATION COUNCIL,

Plaintiffs,

- v. -

UNITED STATES DEPARTMENT OF HOMELAND
SECURITY and UNITED STATES CUSTOMS AND
BORDER PROTECTION,

Defendants.

**STIPULATION AND
~~PROPOSED ORDER~~
OF DISMISSAL**

Civil Action
No. 21-cv-922

(Garaufis, J.)
(Pollak, M.J.)

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WHEREAS, Plaintiffs SKYLIGHT ENGAGEMENT, INC. and AMERICAN IMMIGRATION COUNCIL commenced this action pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, on February 19, 2021;

WHEREAS, Defendants U.S. DEPARTMENT OF HOMELAND SECURITY and U.S. CUSTOMS AND BORDER PROTECTION filed their answer on June 4, 2021; and

WHEREAS, after the commencement of the action, Defendants have made releases of records in response to Plaintiffs’ FOIA request dated October 14, 2020, and Plaintiffs have informed Defendants that Plaintiffs would not be seeking the release of any further records pursuant to the FOIA request dated October 14, 2020;

IT IS STIPULATED AND AGREED by and between counsel for Plaintiffs and counsel for Defendants that Plaintiffs are awarded a total of \$30,000.00 (Thirty Thousand Dollars and No Cents) in attorney fees and costs in full satisfaction of any claim pursuant to 5 U.S.C. § 552(a)(4)(e). Plaintiffs agree that they will apportion the \$30,000 (Thirty Thousand Dollars and No Cents) payment by Defendants internally as deemed necessary. The execution of this

Stipulation and Proposed Order is not, is in no way intended to be, and should not be construed as an admission of liability or fault on the part of Defendants, or any of their agents, sub-agencies, contractors, servants, or employees.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation and Proposed Order has no precedential value and shall not be used as evidence in any other attorneys' fees litigation.

IT IS FURTHER STIPULATED AND AGREED that Defendants' payment of \$30,000.00 (Thirty Thousand Dollars and No Cents) represents the total fees and costs that will be paid and will fully and finally resolve all outstanding issues related to the Plaintiffs' claims in the above-captioned case.

IT IS FURTHER STIPULATED AND AGREED that the undersigned representatives of the parties certify that they are fully authorized by the parties they represent to enter into and execute the terms and conditions of this Stipulation and Proposed Order and, by signing below, do hereby agree to the terms and conditions herein.

IT IS FURTHER STIPULATED AND AGREED that this action is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

Dated: New York, New York
May 19, 2023

By: /s/ John R. Cuti
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Dated: Brooklyn, New York
May 19, 2023

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By: /s/ David A. Cooper
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SO ORDERED:

s/Nicholas G. Garaufis

HONORABLE NICHOLAS G. GARAUFIS
UNITED STATES DISTRICT JUDGE

6/5/23